

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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RIGOBERTO VASQUEZ AND EVA	:
GARCIA ON BEHALF OF	:
THEMSELVES AND ALL OTHERS	:
SIMILARLY SITUATED	:
	:
Plaintiffs,	:
	:
v.	:
	:
	:
HONG KONG AND SHANGHAI	:
BANKING CORPORATION LTD	:
COMPANY, LTD, A FOREIGN	:
COMPANY; HSBC BANK USA, N.A.,	:
A NATIONAL BANKING	:
ASSOCIATION; AND DOES 1	:
THROUGH 100, INCLUSIVE,	:
	:
Defendants.	:
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PLAINTIFFS' REQUEST FOR JUDICIAL NOTICE

Pursuant to Rule 201 of the Federal Rules of Evidence, Plaintiffs Rigoberto Vasquez, Eva Garcia on behalf of themselves and all other similarly situated. (“Plaintiffs”) hereby respectfully requests that, in connection with its Oppositions to Defendant The Hongkong and Shanghai Banking Corporation Limited’s Motion to Dismiss First Amended Complaint Pursuant to Federal Rules of Civil Procedure 12(b)(2), Defendant The Hongkong and Shanghai Banking Corporation Limited’s Motion to Dismiss First Amended Complaint Pursuant to Federal Rules of Civil Procedure 12(b)(6) and 9(b), Defendant HSBC Bank USA, N.A.’s Motion to Dismiss First Amended Complaint Pursuant to Federal Rules of Civil Procedure 12(b)(6) and 9(b), filed and served concurrently herewith, the Court take judicial notice of each of the documents listed below.

Under Rule 201(d) courts shall take judicial notice of adjudicative facts if requested by a party and supplied with the necessary information. “A judicially noticed fact must be one not subject to reasonable dispute in that it is either (1) generally known within the territorial jurisdiction of the trial court or (2) capable of accurate and ready determination by resort to sources whose accuracy cannot reasonably be questioned.” Fed. R. Evid. 201(b).

For the reasons set forth above, Plaintiffs respectfully request this Court to take judicial notice of each of the following documents:

Exhibit 1: Deferred Prosecution Agreement filed in *United States of America v. H.S.B.C. Bank USA, N.A. and HSBC Holdings plc*, Eastern District of New York Case No. 12-763

Exhibit 2: Order Granting Motion to Dismiss filed in *Giron et. al. v. Hongkong and Shanghai Banking Corporation Limited, et al.*, Central District of California Case No.: 2:15-cv-08869

Exhibit 3: Order Denying Plaintiffs’ Motion to Certify Class; Denying as Moot, Defendant’s Motion for Sanctions; Granting Defendant’s Motion for Summary Judgment; & Denying, as Moot, Plaintiffs’ Motion to Strike & Exclude Granting Motion to Dismiss filed in *Giron et. al. v. Hongkong and Shanghai Banking Corporation Limited, et al.*, Central District of California Case No.: 2:15-cv-08869

Exhibit 4: OCC Consent Order filed in *In the Matter of: HSBC Bank USA, N.A. McLean, Virginia*, United States of America Department of the Treasury Comptroller of the Currency Case No.: AA-EC-10-98, #2010-199

Exhibit 5: Notice of Appeal and Representation Statement filed in *Giron et. al. v. Hongkong and Shanghai Banking Corporation Limited, et al.*, Central District of California Case No.: 2:15-cv-08869

Exhibit 6: Order granting Appellant's motion to dismiss appeal (Docket Entry No. 12) filed in *Giron et. al. v. HSBC Bank USA, N.A., et al.*, United States Court of Appeals for the Ninth Circuit, D.C. No.: 2:15-cv-08869, Central District of California, Los Angeles

Dated: December 7, 2018

Respectfully Submitted,

By: /s/ Julio J. Ramos

Julio J. Ramos

LAW OFFICES OF JULIO J. RAMOS

35 Grove Street, Suite 107

San Francisco, California 94102

Telephone: (415) 948-3015

Facsimile: (415) 469-9787

Steven M. Nuñez, Esq. (Pro Hac Vice Pending)

WARD & HAGEN, LLP

440 Stevens Avenue, Suite 350

Solana Beach, California 92075

Telephone: (858) 847-0505

Facsimile: (858) 847-0105

MICHAELE. ADAMS (Pro Hac Vice Pending)

LAW OFFICES OF MICHAELE. ADAMS

2 702 Marshall Street, Suite 300

Redwood City, CA 94063

3 Telephone: (650) 599-9463

Fax: (650) 599-9785